

1 AMENDMENT TO SENATE BILL 1548

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1548, on page 1,  
3 line 5, by replacing "Section 1-11" with "Sections 1-11,  
4 10-26, and 12-8.1"; and

5 on page 3, after line 6, by inserting the following:

6 "(305 ILCS 5/10-26)  
7 Sec. 10-26. State Disbursement Unit.

8 (a) Effective October 1, 1999 the Illinois Department  
9 shall establish a State Disbursement Unit in accordance with  
10 the requirements of Title IV-D of the Social Security Act.  
11 The Illinois Department shall enter into an agreement with a  
12 State or local governmental unit or private entity to perform  
13 the functions of the State Disbursement Unit as set forth in  
14 this Section. The State Disbursement Unit shall collect and  
15 disburse support payments made under court and administrative  
16 support orders:

17 (1) being enforced in cases in which child and  
18 spouse support services are being provided under this  
19 Article X; and

20 (2) in all cases in which child and spouse support  
21 services are not being provided under this Article X and  
22 in which support payments are made under the provisions

1 of the Income Withholding for Support Act.

2 (a-2) The contract entered into by the Illinois  
3 Department with a public or private entity or an individual  
4 for the operation of the State Disbursement Unit is subject  
5 to competitive bidding. In addition, the contract is subject  
6 to Section 10-26.2 of this Code. As used in this subsection  
7 (a-2), "contract" has the same meaning as in the Illinois  
8 Procurement Code.

9 (a-5) If the State Disbursement Unit receives a support  
10 payment that was not appropriately made to the Unit under  
11 this Section, the Unit shall immediately return the payment  
12 to the sender, including, if possible, instructions detailing  
13 where to send the support payments.

14 (b) All payments received by the State Disbursement  
15 Unit:

16 (1) shall be deposited into an account obtained by  
17 the Illinois Department or the State or local  
18 governmental unit or private entity, as the case may be,  
19 and

20 (2) distributed and disbursed by the State  
21 Disbursement Unit, in accordance with the directions of  
22 the Illinois Department, pursuant to Title IV-D of the  
23 Social Security Act and rules promulgated by the  
24 Department.

25 (c) All support payments assigned to the Illinois  
26 Department under Article X of this Code and rules promulgated  
27 by the Illinois Department that are disbursed to the Illinois  
28 Department by the State Disbursement Unit shall be paid into  
29 the Child Support Enforcement Trust Fund.

30 (d) If the agreement with the State or local  
31 governmental unit or private entity provided for in this  
32 Section is not in effect for any reason, the Department shall  
33 perform the functions of the State Disbursement Unit as set  
34 forth in this Section for a maximum of 12 months before July

1 1, 2001, and for a maximum of 24 months after June 30, 2001.  
 2 If the Illinois Department is performing the functions of the  
 3 State Disbursement Unit on July 1, 2001, then the Illinois  
 4 Department shall make an award on or before December 31,  
 5 2002, to a State or local government unit or private entity  
 6 to perform the functions of the State Disbursement Unit.  
 7 Payments received by the Illinois Department in performance  
 8 of the duties of the State Disbursement Unit shall be  
 9 deposited into the State Disbursement Unit Revolving Fund  
 10 established under Section 12-8.1. Nothing in this Section  
 11 shall prohibit the Illinois Department from holding the State  
 12 Disbursement Unit Revolving Fund after June 30, 2003.

13 (e) By February 1, 2000, the Illinois Department shall  
 14 conduct at least 4 regional training and educational seminars  
 15 to educate the clerks of the circuit court on the general  
 16 operation of the State Disbursement Unit, the role of the  
 17 State Disbursement Unit, and the role of the clerks of the  
 18 circuit court in the collection and distribution of child  
 19 support payments.

20 (f) By March 1, 2000, the Illinois Department shall  
 21 conduct at least 4 regional educational and training seminars  
 22 to educate payors, as defined in the Income Withholding for  
 23 Support Act, on the general operation of the State  
 24 Disbursement Unit, the role of the State Disbursement Unit,  
 25 and the distribution of income withholding payments pursuant  
 26 to this Section and the Income Withholding for Support Act.

27 (Source: P.A. 91-212, eff. 7-20-99; 91-677, eff. 1-5-00;  
 28 91-712, eff. 7-1-00; 92-44, eff. 7-1-01.)

29 (305 ILCS 5/12-8.1)

30 Sec. 12-8.1. State Disbursement Unit Revolving Fund.

31 (a) There is created a revolving fund to be known as the  
 32 State Disbursement Unit Revolving Fund, to be held by the  
 33 Director of the Illinois Department, outside the State

1 treasury, for the following purposes:

2 (1) the deposit of all support payments received by  
3 the Illinois Department's State Disbursement Unit;

4 (2) the deposit of other funds including, but not  
5 limited to, transfers of funds from other accounts  
6 attributable to support payments received by the Illinois  
7 Department's State Disbursement Unit;

8 (3) the deposit of any interest accrued by the  
9 revolving fund, which interest shall be available for  
10 payment of (i) any amounts considered to be Title IV-D  
11 program income that must be paid to the U.S. Department  
12 of Health and Human Services and (ii) any balance  
13 remaining after payments made under item (i) of this  
14 subsection (3) to the General Revenue Fund; however, the  
15 disbursements under this subdivision (3) may not exceed  
16 the amount of the interest accrued by the revolving fund;

17 (4) the disbursement of such payments to obligees  
18 or to the assignees of the obligees in accordance with  
19 the provisions of Title IV-D of the Social Security Act  
20 and rules promulgated by the Department, provided that  
21 such disbursement is based upon a payment by a payor or  
22 obligor deposited into the revolving fund established by  
23 this Section; and

24 (5) the disbursement of funds to payors or obligors  
25 to correct erroneous payments to the Illinois  
26 Department's State Disbursement Unit, in an amount not to  
27 exceed the erroneous payments.

28 (b) (Blank). ~~The provisions of this Section shall apply~~  
29 ~~only if the Department performs the functions of the Illinois~~  
30 ~~Department's State Disbursement Unit under paragraph (d) of~~  
31 ~~Section 10-26.~~

32 (Source: P.A. 91-712, eff. 7-1-00; 92-44, eff. 7-1-01.)"